

## **REMARKS**

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-16 and 47-58 are currently pending
- Claims 17-46 are canceled herein
- Claims 1, 2, 7, 10 and 15 are amended herein
- New claims 49-58 are added herein

### **Claim Amendments**

[0003] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 2, 7, 10 and 15 herein. Applicant amends claim 1 in accordance with claim 47, recognized as allowable. These amendments are fully supported by the Application and are made to expedite prosecution. These amendments are merely intended to highlight the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

## **Newly added claims**

**[0004]** Claims 49-58 are added to claim in a different statutory category. Support for claims 49-58 can be found in Fig. 4 with associated text, including but not limited to, paragraphs [0038]-[0045].

## **Allowed Claims**

**[0005]** The Office Action indicates that claims 47 and 48 are allowable. Applicant would like to thank the Examiner for allowing claims 47 and 48. These claims have not been amended herein, and therefore remain in condition for allowance.

## **Cited Documents**

**[0006]** The following documents have been applied to reject one or more claims of the Application:

- Fee: Fee et al., U.S. Patent Application Publication No. 2003/0041267
- Bromley: Bromley, et al., U.S. Patent No. 7,266,677
- Segarra: Segarra, et al., U.S. Patent No. 4,430,699
- Hardman: Hardman, et al., U.S. Patent Application Publication No. 2004/0059941
- Borza: Borza, U.S. Patent No. 6,076,167
- Rompaey: Rompaey, et al., U.S. Patent No. 5,870,588

**Claims 1, 2, 4 and 5 Are Non-Obvious Over Applicant's Admitted Prior Art (AAPA) and in view of Fee**

[0007] Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Applicant's Admitted Prior Art (AAPA) and in view of Fee. Applicant respectfully traverses the rejection. Furthermore, in light of claim amendments herein, Applicant respectfully submits that the rejection is moot.

*Independent claim 1*

[0008] Independent claim 1, as amended, recites (in part):

means for making a call for access by the first assembly ... to the second assembly ***at Just-In-Time (JIT) compilation time;***

***a JIT compiler for compiling each of the first and second assemblies into native code for execution as native code, wherein during compilation, based upon a determination that it is unknown whether the call from the first assembly to the second assembly should be permitted, the JIT compiler is configured to insert a runtime stub into the call before compiling the first and second assemblies;***

***means for intercepting the call from the first assembly to the second assembly; and***

means, based upon a user identification (ID) for at least one of the first and second assemblies of the one or more files, for determining, ***at runtime,*** access privileges of the first assembly of the one or more files to the second assembly of the one or more files.

[0009] Applicant respectfully asserts that the above emphasized features are not disclosed, taught or suggested in the background of the specification—alleged AAPA and Fee, whether taken alone or in combination for at least similar reasons that the documents

relied upon do not disclose, teach, or suggest each element and feature of independent claim 47.

**[00010]** Thus, independent claim 1, as amended, is respectfully asserted patentable for at least the same reasons that claim 47 is recognized as allowable.

*Dependent claims 2, 4 and 5*

**[00011]** These claims ultimately depend upon independent claims 1. As discussed above, claims 1 is patentable over AAPA and Fee. It is axiomatic that any dependent claim which depends from a base claim that is patentable over references is also patentable over the references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Claims 3 and 6-16 are Non-Obvious over other references**

**[00012]** Claims 3 and 6-16 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over AAPA/Fee and other references (e.g., Bromley, Segarra, Hardman, Borza, and Rompaey). Applicant respectfully traverses the rejection. Furthermore, in light of the amendments herein to independent claim 1, Applicant submits that the rejection to the above claims is moot.

**[00013]** As discussed above, since independent claim 1 is asserted patentable over AAPA and Fee and claims 3 and 6-16 ultimately depend upon independent claims 1, Applicant respectfully asserts that claims 3 and 6-16 are patentable over AAPA and Fee for at least the reasons provided with reference to claim 1.

[00014] Furthermore, Applicant asserts that none of other cited references, e.g., Bromley, Segarra, Hardman, Borza, and Rompaey, remedies the deficiencies of AAPA and Fee. In fact, none of the other cited references discloses, teaches or suggests the emphasized features as recited in claim 1.

[00015] Accordingly, dependent claims 3 and 6-16 are respectfully asserted patentable over the respective references cited in the Office Action.

### **New claims 49-58**

[00016] Claims 49-58 are added to recite the claims in a different statutory category.

[00017] Independent claim 49 recites:

*making a first determination at the JIT compilation time* that it is unknown whether the call from the first assembly to the second assembly should be permitted, wherein the first determination is based upon the ID for at least one of the first and second assemblies;

*inserting a runtime stub to the cross assembly call* in the managed code to postpone a verification of the cross assembly call at the JIT compilation time, *the runtime stub being configured to be used to make a call back at runtime*;

compiling the first and second assemblies in the managed code into native code for execution as native code;

intercepting the cross assembly call at runtime; and

*making a second determination at runtime to decide*, based upon the ID for at least one of the first and second assemblies at runtime, whether the call by the first assembly to the second assembly shall be permitted.

[00018] As discussed above, Applicant respectfully asserts that the above emphasized features are not disclosed, taught or suggested in the cited documents

whether taken alone or in combination for at least similar reasons that the documents relied upon do not disclose, teach, or suggest each element and feature of independent claim 47.

**[00019]** Consequently, newly added independent claim 49 is asserted patentable over the cited references.

**[00020]** Dependent claims 50-58 ultimately depend upon independent claim 49. As discussed above, claim 49 is patentable over the cited references. It is axiomatic that any dependent claim which depends from a base claim that is patentable over references is also patentable over the references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Conclusion**

[00021] Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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